

Town Board Minutes

June 1, 2009
Meeting No. 19

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 1st day of June 2009 at 8:00 P.M. and there were

PRESENT: JOHN ABRAHAM , COUNCIL MEMBER
DANIEL AMATURA, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
JOHN DUDZIAK, TOWN ATTORNEY
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR
GARY STOLDT, CHIEF OF POLICE
DAVID MARRANO, ASSESSOR
TERRENCE McCracken, GENERAL CREW CHIEF
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

EXECUTIVE SESSION:

AT 8:02 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER AMATURA, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing a particular personnel matter.

At 8:06 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Chowaniec, Lee, spoke to the Town Board on the following matter:

- Wal Mart property at northeast corner of Transit Road and William Street - concerns about rubbish and drainage

Galczynski, Marty, spoke to the Town Board on the following matter:

- Wal Mart property at northeast corner of Transit Road and William Street - concerns about rubbish and drainage

Fronczak, Mike, spoke to the Town Board on the following matter:

- sewer problems

Addeo, Toni, spoke to the Town Board on the following matter:

- sewer problems

Symer, Donald, spoke to the Town Board on the following matter:

- Erie County Sewer Board meeting held March 11, 2009

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:33 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed Local Law of 2009 which sets forth the Exemption Schedule on property improvements for disabled.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Questions
Paul Boguhn	Proponent

ON MOTION BY COUNCIL MEMBER AMATURA, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 8:41 P.M.

Decision on this matter was reserved.

June 1, 2009

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board held
May 18, 2009 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 1, 2009

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following individuals be and hereby are appointed
members of the Town of Lancaster Youth Board for the period June 1, 2009 to May 31, 2011:

- Claire Schlum, Chairman
- John Parker, Co-Chairman
- Rev. Leon Biernat
- Jacqueline Bull
- Nicholas Buscaglia
- James Formato
- Suzanne Jacobs
- Keith Kerl
- Elizabeth Knittel
- Ashley Lanning
- Joseph Maciejewski
- Anthony Marrano
- Daniel Palumbo
- Daniel Paveljack
- Jill Santoro
- Rev. Richard Scheer
- Rev. Paul Steller
- Michael Vallely
- Jamie Volkenner
- Shirley Zuppelli

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 1, 2009

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, Twin District Volunteer Fire Company, Inc., by letter dated May 25, 2009, has requested the addition of the following member to the roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Twin District Volunteer Fire Company the following individual:

ADDITION:

Ronald Wechter
Depew, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 1, 2009

File: RFIRE (P5)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau by letter dated May 22, 2009, has recommended appointments for the Youth Bureau’s Special Exam Prep Session, Summer Skills Building Program, Safe Summer Reinforcement & Enrichment Programs, and Summer Theater Workshop.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed to positions in the Youth Bureau’s Special Exam Prep Session, Summer Skills Building program, Safe Summer Reinforcement & Enrichment Programs, and Summer Theater Workshop effective June 1, 2009 through August 31, 2009, at the following rates:

<u>Name</u>	<u>Position</u>	<u>Rate</u>
Gregory Heer (rehire) Blasdell, NY 14219	Tutor	\$16.00/hr.
Beth Richter (new hire) West Seneca, NY 14224	Tutor	\$16.00/hr.
Kristen Reddien (rehire) Lancaster, NY 14086	Tutor	\$16.00/hr.
Michael Domino (rehire) Lancaster, NY 14086	Tutor	\$15.50/hr.
Michelle Ebert (rehire) Lake View, NY 14085	Tutor	\$15.75/hr.
Amy Doody (rehire) Cheektowaga, NY 14227	Tutor	\$15.75/hr.
Lynn Dalfonso (rehire) Lancaster, NY 14086	Choreographer Summer Theatre Workshop	\$16.50/hr.
Robert Pacillo (rehire) Youngstown, NY 14174	Music Director/Accompanist Summer Theatre Workshop	\$16.00/hr.
John Kaczorowski (rehire) Williamsville, NY 14221	Drama Director Summer Theatre Workshop	\$15.00/hr.
Cheryl Glose (rehire) Lancaster, NY 14086	Technical Director Summer Theatre Workshop	\$16.50/hr.
Ryan Kaminski (new hire) Lancaster, NY 14086	Music Director/Accompanist Summer Theatre Workshop	\$12.00/hr.
Kevin Kaminski (new hire) Lancaster, NY 14086	Drama Director Summer Theatre Workshop	\$ 8.00/hr.

Kaitlyn Koziol (new hire) Lancaster, NY 14086	Co-Choreographer Summer Theater Workshop	\$ 8.00/hr.
Sarah Demers (rehire) Williamsville, NY 14221	Tutor	\$15.75/hr.
Lori Wargula Przykuta (rehire) Depew, NY 14043	Tutor	\$15.50/hr.
Donna Greene (rehire) Depew, NY 14043	Tutor	\$15.50/hr.
Jessica Budowski (rehire) Cheektowaga, NY 14225	Tutor	\$16.00/hr.

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 1, 2009

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, the Lancaster/Depew Ponytails Girls Softball, Inc. has requested that all player benches at Walden Pond Park (eight total diamonds) be covered to provide a “covered dugout” allowing the players to be protected from errant balls and provide them shelter from inclement weather, and the Lancaster/Depew Ponytails Girls Softball, Inc. has agreed to contribute towards the cost of such covered dugout installation, and

WHEREAS, the General Crew Chief of the Parks, Recreation & Forestry Department of Lancaster feels it necessary and in the Town’s best interest to also provide protective fenced areas in front of the players’ bench areas.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster is authorized to enter into an agreement between the Town of Lancaster and the Lancaster/Depew Ponytails Girls Softball Inc., in substantially the same form as is attached to this resolution, accepting payments to the Town from the Lancaster/Depew Ponytails Girls Softball, Inc. for the cost of the construction of covered dugouts at Walden Pond Park. Payments shall be made in two installments: the first installment shall be paid on or before July 31, 2009 in the amount of \$18,960 and the second installment shall be paid on or before February 28, 2010 in the amount of \$10,000.

BE IT FURTHER

RESOLVED, that the Town of Lancaster will be financially responsible to provide protective fenced areas in front of the players’ bench.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 1, 2009

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (“Agreement”) is entered into by and between the Town of Lancaster, New York (“Town”) and the Lancaster Depew Ponytails Girls Softball, Inc., c/o John Raab, President, 22 Caroline Lane, Depew, New York 14043 (“Ponytails”).

WHEREAS, the Ponytails has requested that all player benches at Walden Pond Park (eight total diamonds) be covered to provide a “covered dugout” allowing the players to be protected from errant balls and provide them shelter from inclement weather; and

WHEREAS, the Town has determined that the installation of such covered dugouts serves an appropriate Town purpose, but that, due to fiscal constraints, the Town is unable to provide funding for such dugout installation; and

WHEREAS, the Ponytails has agreed to contribute to the cost of the covered dugout installation in a total amount of \$28,960, and the Town has determined that such contribution is sufficient to permit the Town to undertake the covered dugout installation.

NOW, THEREFORE, THE TOWN AND THE PONYTAILS HEREBY AGREE AS FOLLOWS:

1. The Ponytails shall contribute a total of \$28,960 towards the cost of installing covered dugouts at the player benches at the eight ball diamonds located at Walden Pond Park. This payment shall be rendered to the Town in two installments: (a) the first installment shall be rendered to the Town Clerk no later than July 31, 2009 in the amount of \$18,960, and (b) the second installment shall be rendered to the Town Clerk no later than February 28, 2010 in the amount of \$10,000.
2. The Town agrees that it shall use the payments rendered by the Ponytails as set forth above for purposes of the installation of covered dugouts at Walden Pond Park.
3. The Ponytails understands and agrees that the installation of the covered dugouts shall be undertaken by the Town, and that the Town has full discretion to determine all details regarding such installation. The Ponytails further understands and agrees that all, once the covered dugouts are installed, the Town reserves the right to make all decisions with regard to the maintenance and status of such covered dugouts.
4. The Ponytails understands and agrees that the Town has relied upon the promise of the Ponytails to contribute to the cost of covered dugout installation, and that the Town would not have undertaken this work absent the promise by the Ponytails to contribute to the cost of such installation in the amounts set forth herein.

For the Town:

For the Ponytails:

By: _____
Robert H. Giza, Supervisor

By: _____
John Raab, President

Dated:

Dated:

Subscribed and sworn to before me
this ____ day of June, 2009.

Subscribed and sworn to before me
this ____ day of June, 2009.

Notary Public

Notary Public

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for the construction of protective fencing to be installed in front of the players' bench and for covered dugouts to be constructed on diamonds at Walden Pond Park for use by the Town of Lancaster's Department of Parks, Recreation and Forestry, in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were opened on May 7, 2009, and

WHEREAS, the General Crew Chief of the Department of Parks, Recreation and Forestry of the Town of Lancaster has recommended that the Town be financially responsible for the before-mentioned fencing at a cost of \$9,196 in accordance with said specifications from the low bidder thereon, Armor Fence Company of WNY, Inc., P.O. Box 745, Orchard Park, New York 14127, and

WHEREAS, the Lancaster/Depew Ponytails, Inc., has agreed to render payment to the Town in the amount of \$28,960 to be applied towards the cost to the Town of installing covered dugouts at Walden Pond Park, in accordance with an executed agreement with the Town of Lancaster, and with said specifications from the low bidder thereon, Armor Fence Company of WNY, Inc., P.O. Box 745, Orchard Park, New York 14127;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the contract for the installation of protective fencing and construction of covered dugouts at Walden Pond Park to **Armor Fence Company of WNY, Inc., P.O. Box 745, Orchard Park, New York**, being the lowest responsible bidder in conformance with the specifications on file in the Office of the Town Clerk in the amount of **\$38,156**.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 1, 2009

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Buffalo Crushed Stone, 2544 Clinton Street, Buffalo, New York 14224, has submitted a site plan, dated February 5, 2009 and received April 16, 2009 for the proposed installation of a Stephens Dry Batch Concrete Plant located at 91 Barton Road in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan and at its meeting on May 6, 2009 has recommended approval of this project, and

WHEREAS, a SEQR Review of this project was held June 1, 2009 and a negative declaration was issued at that time.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by **Buffalo Crushed Stone**, 2544 Clinton Street, Buffalo, New York 14224, dated February 5, 2009 and received April 16, 2009 for the proposed installation of a Stephens Dry Batch Concrete Plant located at 91 Barton Road in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 1, 2009

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, 81 & 3 OF Florida, 6495 Transit Road, Bowmansville, New York, D/B/A NEC Transit William LLC, owner of a parcel of land located on Transit Road, north of William Street, Lancaster, New York, has petitioned the Town Board of Lancaster for the rezone of said property from a General Business District (GB) to a Multi-Family Residential District Four (MFR-4), and

WHEREAS, the petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 15th day of June, 2009, at 8:30 o'clock P.M., Local Time, and that Notice of the Time and Place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town on June 18, 2009 and be posted on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 1, 2009

File: rrezone81&3TransitnofWilliamapts509

**LEGAL NOTICE
REZONE - PUBLIC HEARING
TRANSIT ROAD NORTH OF WILLIAM STREET
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on June 1, 2009, the said Town Board will hold a Public Hearing on the 15th day of June, 2009 at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from a General Business District (GB) to a Multi-Family Residential District Four (MFR-4), and:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie, State of New York, being part of Lot No. 94 Township 10, Range 6 of the Buffalo Creek Reservation, and more particularly described as follows:

Commencing at a point on the south line of Lot 94 and the centerline of William Street (width varies), said point being 1117.56 feet easterly of the southwest corner of Lot 94 as measured along the south line of Lot 94;

Thence N 00°-06'-17" E, a distance of 1156.86 feet to the POINT OF BEGINNING;

Thence N 89°-53'-43" W, a distance of 526.78 feet to a point of curve;

Thence along a curve to the right having a radius of 25.00 feet, an arc distance of 39.27 feet to a point of tangent;

Thence N-00°-06'-17" E, a distance of 139.92 feet to a point;

Thence N-89°-46'-47"-E, a distance of 57.30 feet to a point;

Thence N-00°-06'-17"-E, a distance of 575.96 feet to a point;

Thence N-89°-30'-54"-E, a distance of 494.50 feet to a point;

Thence S-00°-06'-17"-E, a distance of 746.30 feet to the POINT OF BEGINNING;

Containing 8.66 more or less acres.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

June 1, 2009

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the General Crew Chief by letter dated May 29, 2009, has requested the appointment of a seasonal employee in the Parks, Recreation and Forestry Department of the Town of Lancaster for the Summer season of 2009.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual is hereby appointed to the position of a seasonal employee for the Summer season of 2009 in the Parks, Recreation and Forestry Department of the Town of Lancaster, with no benefits at the following hourly rate:

<u>NAME</u>	<u>POSITION</u>	<u>RATE/HOUR</u>
Alyssa Puhacz (rehire) Lancaster, NY 14086	Substitute Lifeguard	\$7.25

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 1, 2009

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director
of Administration and Finance, to wit:

Claim No. 8284 to Claim No. 8450 Inclusive

Total amount hereby authorized to be paid: \$372,738.54

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 1, 2009

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

PREVIOUSLY TABLED PERMITS:

16415	Grau Builders	11 Logan Ln	Er. Dwlg.-Sin.
-------	---------------	-------------	----------------

NEW PERMITS:

16767	Kinnick, John	44 Stony Brook Dr	Re-Roof House
16768	Avalon Pools	61 Michael's Walk	Er. Pool-Abv Grn
16769	Buffalo Small Animal	2753 Wehrle Dr	Er. Comm. Add./Alt
16770	Pacific Pools	30 Hill Valley Dr	Er. Pool-In Grnd
16771	American Fence Co	30 Hill Valley Dr	Er. Fence
16772	D Allen & Son	32 Robert Dr	Re-Roof House (V/L)
16773	Federal Building Co	182 Brunck Rd	Er. Garage
16774	Cole, Randall	10 Farmview Ct	Er. Deck
16775	South Paw Const	5538 Broadway	Re-Roof House (V/L)
16776	Pat White Const.	31 Schlemmer Rd	Er. Deck
16777	South Paw Const	143S Irwinwood Rd	Re-Roof House (V/L)
16778	Leumer, Christopher	222 Enchanted Forest N	Er. Deck
16779	Gasiorczyk, Leon	12 Grace Way	Re-Roof House
16780	Fence By Presision	40 Creekwood Dr	Er. Fence
16781	Kevin Mann	9 Michael's Walk	Er. Shed
16782	David E Maki	3615 Bowen Rd	Er. Res. Add.
16783	Aqua Systems	1 Red Clover Ln	Inst. Sprinkler
16784	D Allen & Son	9 Fox Hunt Rd	Re-Roof House
16785	D Allen & Son	6 Jenny Ln	Re-Roof House
16786	Besroi Roofing	9 Park Walk	Re-Roof House
16787	D Allen & Son	4 Jenny Ln	Re-Roof House
16788	Scott, John	22 Nicholas Ln	Er. Shed
16789	F&D Construction Inc	601 Pleasant View Dr	Re-Roof House
16790	Daniel Siuda	30 Randolph St	Er. Pool-Abv Grnd (V/L)
16791	Thomas Piotrowski	224 Ransom Rd	Re-Roof House
16792	William Cullinan	434 Central Ave	Er. Garage
16793	William Cullinan	434 Central Ave	Dem./Er. Dwlg.
16794	PKT Roofing	9 Greenmeadow Dr	Er. Res. Alt.
16795	Cynthia Hisel	73 N Aurora St	Re-Roof House (V/L)
16796	City Fence	7 Sherwood Rd	Er. Fence (V/L)
16797	Richard Moore	92 Aurora St	Er. Res. Add. (V/L)
16798	Richard Moore	92 Aurora St	Er. Garage (V/L)
16799	Samuel Mole	44 Albert Dr	Re-Roof House (V/L)
16800	Stachewicz, Michael	25 Sawgrass Ln	Er. Shed
16801	Mendofik, John	15 Cobblestone Ct	Er. Shed

16802	Sahlem's Roofing	136 Fourth Ave	Re-Roof House	(V/L)
16803	Sahlem's Roofing	6 Winding Way	Re-Roof House	
16804	All-Star Fence	62 Village View	Er. Fence	
16805	Wojtasiewicz, Edward	53 Taft Ave	Er. Deck	
16806	Musialowski, Paul	5002 William St	Er. Fence	
16807	T R Renovation	45 Erie St	Re-Roof House	(V/L)
16808	Neth & Sons Inc	11 Hillside Pky	Re-Roof House	
16809	Renkas & Sons	953 Ransom Rd	Dem. Dwlg.	
16810	Karczewski, David	67 Brunck Rd	Er. Res. Add.	
16811	Wiseman, Michael	87 Garfield St	Er. Deck	(V/L)
16812	Rich Pools	48 Village View	Er. Pool-Abv Grnd	
16813	Madison, Todd	71 Old Post Rd	Er. Res. Add.	
16814	Rich Pools	52 Hess Pl	Er. Pool-Abv Grnd	
16815	Tom Clark Irish Const.	35 Southpoint Dr	Er. Fence	
16816	Concord Amish Village	402 Seneca Pl	Er. Shed	
16817	Marshall, Shawn	1938 Como Park Blvd	Re-Roof House	(V/L)
16818	D Allen & Son	53 Erie St	Re-Roof Hoouse	(V/L)
16819	Forbes Capretto	11 Sawgrass Ln	Er. Dwlg.-Sin.	
16820	Majestic Pools Inc	148 Siebert Rd	Er. Pool-In Grnd	
16821	Aqua Systems of WNY	10 Tranquility Trl	Install Sprinkler	
16822	Duro-Shed Inc	52 Banner Ave	Er. Shed	(V/L)
16823	Baritot, Thomas	2 Ryan St	Er. Shed	
16824	Randaccio Builders	17 Worthington Ln	Er. Dwlg.-Sin.	
16825	1199 French Road Inc	3620 Walden Ave	Er. Sign	
16826	Randaccio Builders	15 Worthington Ln	Er. Dwlg.-Sin.	
16827	Beebe Construction	13 Regency Ct	Re-Roof House	
16828	MWJ Construction	78 Old Post Rd	Er. Res. Alt.	
16829	Marrano/Marc Equity	8 Sterling Pl	Er. Dwlg.-Sin.	
16830	Marrano/Marc Equity	30 Sterling Pl	Er. Dwlg.-Sin.	
16831	Stempniak, Richard	47 Lombardy St	Er. Fence	(V/L)
16832	Marrano/Marc Equity	68 Avian Way	Er. Dwlg.-Sin.	
16833	Piedmont, James	93 Livingston St	Er. Fence	(V/L)
16834	Town of Lancaster	300 Oxford Ave	Er. Comm. Bldg.	(V/L)
16835	Pickett Fence	26S Irwinwood Rd	Er. Fence	(V/L)
16836	Majestic Pools Inc	545 Erie St	Er. Pool-In Grnd	
16837	Majestic Pools Inc	545 Erie St	Er. Fence	
16838	Steinel, David	214 Belmont Ave	Re-Roof House	
16839	Beauty Pools	2000 Commerce Pkwy	Er. Sign	(V/L)
16840	Stockmohr Company	573 Lake Ave	Re-Roof House	
16841	Persico, David	47 Chicory Ln	Er. Deck	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	ABSTAINED*
SUPERVISOR GIZA	VOTED YES

June 1, 2009

* The Council Member’s fence permit is contained within this resolution.

COMMUNICATIONS & REPORTS

230. Lee Chowaniec to Planning Board -
Request to deny rezone petition of 81 & 3 of Florida, Transit Road north of William Street; comments noted. DISPOSITION = Received & Filed
231. Deputy Highway Superintendent to Planning Board Chairman -
Notice of no concerns regarding proposed Central Square Villas at Pleasant Meadows Subdivision. DISPOSITION = Received & Filed
232. Deputy Highway Superintendent to Planning Board Chairman -
Notice of no concerns regarding proposed Vine Subdivision. DISPOSITION = Received & Filed
233. Leon G. Robak to Supervisor -
Notice of intention to retire effective July 17, 2009. DISPOSITION = Received & Filed
234. General Crew Chief to Planning Board, Council Members Abraham, Ruffino, & Stempniak -
Notice of no concerns from the Town Forestry Department regarding proposed Vine Subdivision; comments noted. DISPOSITION = Received & Filed
235. Town Attorney to Town Board, Planning Board, Building Inspector, Town Engineer, Town Clerk -
Notice of SEQR meeting to be held Monday, June 1, 2009, 6:30 PM regarding proposed Medical Building (R&C Contractors), 5007-5009 Transit Road and Buffalo Crushed Stone Batch Plant. DISPOSITION = Received & Filed
236. Town Clerk to Various News Media -
Notice of SEQR meeting to be held Monday, June 1, 2009, 6:30 PM regarding proposed Medical Building (R&C Contractors), 5007-5009 Transit Road and Buffalo Crushed Stone Batch Plant. DISPOSITION = Received & Filed
237. Twin District Volunteer Fire Co. to Town Clerk -
Request for change in membership. DISPOSITION = Resolution 6/1/2009
238. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent, Building Inspector -
Draft copy of minutes of meeting held May 20, 2009. DISPOSITION = Received & Filed
239. Planning Board to Town Board -
Notice of adjournment to meeting of June 3, 2009 regarding sketch plan review of Vine Subdivision, north side of Summerfield Drive; conditions noted. DISPOSITION = Received & Filed
240. Planning Board to Town Board -
Recommend approval regarding rezone petition of 81 & 3 of Florida, Transit Road north of William Street; conditions noted. DISPOSITION = Received & Filed
241. Planning Board to Town Board -
Notice of adjournment to meeting of June 3, 2009 regarding rezone petition of Redtek Development, 4779 & 4783 Transit Road; conditions noted. DISPOSITION = Received & Filed
242. Executive Director, Youth Bureau to Supervisor -
Request appointment of individuals for summer program positions. DISPOSITION = Resolution 6/1/2009
243. NYS DEC to Town Attorney -
Comments regarding lead agency designation request regarding rezone petition for Transit Road apartments, north of William Street. DISPOSITION = Planning Committee
244. NYS DEC to Town Attorney -
Notification of lead agency designation regarding site plan for Medical Office Building, 5007 - 5009 Transit Road; comments noted. DISPOSITION = Planning Committee

- 245. General Crew Chief to Supervisor -
Request to award bid for installation of fence and construction of dugouts at Walden Pond Park to Armor Fence Company of WNY, Inc., the apparent low bidder. DISPOSITION = Resolution 6/1/2009
- 246. Erie County Department of Environment & Planning to Town Attorney -
Comments regarding site plan for proposed Medical Office Building, 5007 - 5009 Transit Road. DISPOSITION = Planning Committee

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER AMATURA AND CARRIED, the meeting was adjourned at 8:55 P.M. in memory of Benedict Maryniak, Kathleen Perry, Gloria Dennis and Noreen Jakubik.

Signed _____
Johanna M. Coleman, Town Clerk